

United States District Court
for the
Southern District of New York

U.S. BANK NATIONAL ASSOCIATION,)
NOT IN ITS INDIVIDUAL CAPACITY)
BUT SOLELY AS TRUSTEE FOR THE)
RMAC TRUST, SERIES 2016-CTT)

Plaintiff)

v.)

VALTRICTS BINNS, DENESE BINNS)

Defendant(s))

Civil Action No. 17-CV-8277

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the instant Notice of Motion, Declaration in support of Gross Polowy, LLC by Stephen J. Vargas, Esq., Attorneys for Plaintiff dated November 19, 2018 and the exhibits attached thereto, the Plaintiff moves this Court, before U.S. District Judge Vincent L. Briccetti at the United States District Court for the Southern District of New York located at 300 Quarropas Street, White Plains, NY 10601, for an order granting the following:

- (a) Dismissal of the action pursuant to Fed. R. Civ. P. §41(a)(2);
- (b) Vacatur of the Judgment of Foreclosure and Sale pursuant to Fed. R. Civ. P. §60(b);
- (c) Cancellation of the Notice of Pendency of Action pursuant to CPLR §6514(a); and
- (d) Such other and further relief this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, Plaintiff will serve these motion papers on all Defendants pursuant to Fed. R. Civ. P. §5

DATED: November 20, 2018
Westbury, New York

Gross Polowy, LLC
/SJV/
Stephen J. Vargas, Esq. (SV6799)
svargas@grosspolowy.com
900 Merchants Concourse, Suite 412
Westbury, NY 11590
Tel.: (716) 204-1700
Fax: (716) 204-1702
Attorneys for Plaintiff

TO:

Valtricts Binns
3245 W. Oakland Park Boulevard
Lauderdale Lakes, FL 33311

Denese Binns
18074 SW 28th Street
Miramar, FL 33029